

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

GREGORY ALLEN BATES,

Plaintiff,

v.

W. B. MELTON, et al.,

Defendants.

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**No. 2:13-0131
Judge Sharp**

ORDER

The Magistrate Judge has entered a Report and Recommendation (Docket No. 39) detailing why this case should be dismissed as requested by Defendants in their Joint Motion to Dismiss (Docket No. 33) because of Plaintiff's failure to prosecute and attend his own deposition. In the R & R, the Magistrate Judge also notes that Plaintiff has failed to keep the Court apprised of his address. Plaintiff was provided 14 days to file objections to the R & R, but failed to do so. This may be because, even though the Clerk sent the R & R by certified mail to the last address provided by Plaintiff, it was returned as undeliverable.

Given the record, the Court agrees with the recommended dismissal. Accordingly, (1) the R & R (Docket No. 39) is hereby ACCEPTED AND APPROVED; (2) Defendants' Joint Motion to Dismiss (Docket No. 33) is hereby GRANTED; (3) Plaintiff's Complaint is hereby DISMISSED; and (4) the Clerk of the Court shall enter a final judgment in accordance with Rule 58 of the Federal Rules of Civil Procedure.

It is SO ORDERED.



KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE